

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MICHAEL J. CARLSON, SR., Individually and as  
Administrator of the Estate of CLAUDIA D'AGOSTINO  
CARLSON and as Assignee of WILLIAM PORTER

Plaintiff

vs.

**NOTICE OF MOTION**  
Docket# 11-cv-874-RJA

AMERICAN INTERNATIONAL GROUP., INC.  
AIG DOMESTIC CLAIMS, INC.  
AMERICAN ALTERNATIVE INSURANCE CO.  
NATIONAL UNION FIRE INSURANCE COMPANY  
OF PITTSBURGH, PA  
DHL EXPRESS (USA), INC. f/k/a DHL WORLDWIDE  
EXPRESS, INC.

Defendants

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**MOTION MADE BY:**

Plaintiff, by and through his attorneys, BROWN  
CHIARI, LLP

**DATE, TIME, AND PLACE  
OF HEARING:**

Before the UNITED STATES DISTRICT COURT,  
2 Niagara Square, Buffalo, New York 14202, on a  
date and time to be determined by the Court.

**TIME REQUESTED FOR  
ORAL ARGUMENT:**

10 Minutes

**RELIEF DEMANDED:**

Order remanding this case for further proceedings  
to New York State Supreme Court, Niagara County.

**GROUND FOR RELIEF:**

Affidavit of Theresa M. Walsh, Esq., with attached  
Exhibits; Memorandum of Law; 28 U.S.C. §28  
USC §1332; 28 USC §1441; 28 USC §1446; 28  
USC §1447; Federal Rules of Civil Procedure

Pursuant to Local Rule 7.1, Plaintiff intends to file and serve reply papers and as a result, any papers in opposition to this motion are required to be filed and served at least eight (8) business days prior to the return date of the motion.

DATED: Lancaster, New York  
November 15, 2011

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